



**REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL  
SITTING AS THE REDEVELOPMENT AGENCY**

**Council Chamber in City Hall  
68-700 Avenida Lalo Guerrero  
Cathedral City, CA 92234**

**WEDNESDAY, JANUARY 26, 2005**

The regular meeting of the City Council, also sitting as the Redevelopment Agency, and the was called to order by Mayor DeRosa in the Council Chambers on January 26, 2005 at 3:04 p.m.

**ROLL CALL:**

Present: Council Members/RDA Board Members England, Marchand, Mayor Pro Tem/Vice-Chairman Pettis, and Mayor/Chairman DeRosa

Absent: None

Roll Call was also taken for the Downtown Foundation Board for the purposes of approving minutes for the meeting of January 12, 2005.

The regular meeting began at 6:33 p.m. and was opened by Mayor DeRosa. Mayor Pro Tem Pettis participated in afternoon session but was unable to participate this evening due to his being out of town. Invocation was given by Pastor David Pelletier of the Metropolitan Community Church of the Coachella Valley. Pastor Pelletier offered a moment of silence for Daniel Ramirez of Cathedral City High School, also a member of the Air Force Junior ROTC. The Cathedral City High School Air Force Junior ROTC Color Guard presented the colors and led the audience in the Pledge of Allegiance.

**CLOSED SESSION AGENDA:**

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)  
Number of Potential Cases: 1
2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6  
Agency Negotiator: Donald Bradley, City Manager  
Represented Employees: 1) Cathedral City Police Fire Management Association (CCPFMA); 2) American Federation of State, County and Municipal Employees.
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING

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- LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.  
Case No.: United States District Court, Central District of California Case No. EDCV 02-965
4. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Scott Sharpe, Mark Fields, Rudy Salinas, Jay Horn, Karl Murashima, Owen Krings, Brian Hirzel, Albert Ruiz, Steve Williams, Paul Reindel, Glenn Haas, Nick Chapman, Gabriel Mendoza, Kelly Nava, Danny Anes, Dane Dickson, Mark Novy, Larry San Filipino, Jeremy Herrick, Ernie Vasquez, Tom Ferguson, Jon Enos, John Fox, Andy Diaz, Albert Ochoa, Dewayne Hodge vs. City of Cathedral City, a municipal corporation; Stan Henry, Chief of Police; Captain John Holcomb, Captain Kevin Conner and Lieutenant Al Reshaw in their individual capacity, and DOES 1 through 10, Inclusive  
Case No.: United States District Court, Central District of California Case No. CV 04 02931 (VBKx) Complaint for Damages and Injunctive Relief Demand for Jury Trial
5. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: The City of Cathedral City vs. James Lucero, an individual, Elaine Lucero, an individual, Chandler J. Mahoney, an individual, Marie Corporation, a Corporation, Connie Ahumada, an individual; and DOES 1 through 50, inclusive  
Case No.: Superior Court of the State of California In and For The County of Riverside, Indio Branch Case No. INC047273
6. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Rennob2.Inc vs. City of Cathedral  
Case No.: Riverside County Superior Court, Indio Branch Case No. INC042751
7. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Smith vs. City of Cathedral City  
Case No.: Riverside County Superior Court, Indio Branch Case No. INC023638
8. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Charlene Sumpter**)  
Property Location: North of East Palm Canyon Drive, west of Monty Hall, south

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of Officer David Vasquez and east of Cathedral Canyon Dr.  
Negotiating Parties: Redevelopment Agency and Tri- Millennium Cathedral  
City LLC  
Property Owner: Redevelopment Agency  
Under Negotiation: Amendment to the Disposition and Development  
Agreement for Building "G"

9. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code  
Section 54956.8.

Property Location: 68-780 First Street and Monty Hall  
APN # 687-201-003

Negotiating Parties: Redevelopment Agency & Aaron and Rebecca Safirstein

Property Owner: Aaron & Rebecca Safirstein

Under Negotiation: Acquisition of Property

Case Name: Safirstein vs. City of Cathedral City

Case No.: Riverside County Superior Court, Indio Branch Case No.  
INC039771

**CLOSED SESSION ANNOUNCEMENTS:**

Deputy City Attorney Green advised there were no Closed Session Announcements.

**PUBLIC COMMENTS**

Colonel Price – Cathedral City High School. Colonel Price wanted us to know that the fund raiser car wash for the Ramirez family last Saturday raised over \$7000.00 and thanked everyone who participated. This was an outstanding young man, a good student, and a very good ROTC Cadet.

Bill Cohen – Cathedral City. Mr. Cohen advised that his continued plea for people to join the C.O.P.S. got him two new members, and that six responses came in to a little ad printed in the Desert Sun, thanks to reporter Nelsy Rodriquez

Chuck Vasquez – Cathedral City. Mr. Vasquez, Co-Chair of the 35<sup>th</sup> Avenue Neighborhood Watch reported on community updates. He advised that the 35<sup>th</sup> Avenue Assessment District is well on it way with Phase 1 and he compliments Deputy City Manager Julie Baumer and her team. Mr. Vasquez has assisted with a number of new Neighborhood Watch groups and advise the Council and audience that Desert Princess Country Club not only started a new neighborhood watch group but also a Citizens On Patrol Program. They have purchased a patrol car so that they can patrol within their gated community.

Ken Owens – Cathedral City. Mr. Owens says that he is attending the bi-weekly cove meetings, and he is a little discouraged in that he feels many of his neighbors are not grasping what is going on. He feels that we need to let them know what is going on, he feels that they do not understand that there is a date that needs to be met. This is a 'hot' measure for council candidates.

Mayor DeRosa, seeing no one else wishing to speak, closed Public Comments.

**AGENDA FINALIZATION:**

Mayor DeRosa advised that the Minutes of the December 8, 2004 meeting were being pulled from the agenda because Council didn't have them in time for review and would be brought back for approval on February 9, 2005.

**SCHOOL REPORTS:**

Stephanie Price and Melissa Torres, students from Cathedral City High School, gave an update to the City Council. Stephanie told about the auditions for the school play. Second semester began on Monday, students will be out of school on Thursday and Friday this week due to the District In-Service. Melissa apologized for having missed the last three meetings due to an injury. The varsity soccer team lost to La Quinta 6-3 and now must win all of their games to get to the finals. The senior class is coming up to their last semester and are very excited.

**COUNCIL COMMENTS:**

Council Member Marchand. He thanked Pastor Dave for his Invocation and the moment of silence for Daniel Ramirez and advised that he would be asking to adjourn in memory of Daniel this evening. Also we lost 35 or 36 Marines today in Iraq and asked that we keep all the Marines in our hearts and prayers.

Mayor DeRosa advised of the passing of Robert Hollister who was 84 years old and a former President of the Cathedral City Chamber of Commerce and asked that we also adjourn in his memory. She advised that the City Council and staff participated in an intense strategic planning session last weekend. Also in attendance were members of the Chamber of Commerce, and Nelsy Rodriguez from the Desert Sun. We had our first community based meeting Tuesday a week ago, with the residents of the Dream Homes. Staff members did a fine job and the meeting was well attended. There will be five more of these meetings, each on the 3<sup>rd</sup> Tuesday of the odd month. The next is planned for March 15, 2005, possibly at Sunny Sands School (?). February 5<sup>th</sup> is the dedication of the new Salvation Army facility on Landau Blvd. One last note, the CCHS Baseball Team needs to raise \$59,000 for the team. The School District gives them the sum of \$800 and the rest needs to be raised by the team. They are soliciting contributions and asked the city to sponsor a banner. The Orion Awards are Friday night the 28<sup>th</sup> of January – there are eight categories of awards.

Council Member Marchand mentioned that Judge Bootle, a great fighter of civil rights, has passed at the age of 102. He dared to stand up in the South in the spirit of Amendment 14. We will add him to the list of people we will remember in our Adjournment tonight.

**MINUTES:**

Mayor DeRosa called for any corrections of the minutes of the City Council/RDA Board meeting or the Downtown Foundation Board meeting held on Wednesday, January 12, 2005. Hearing none, both sets of minutes were approved as written.

**PRESENTATIONS & PROCLAMATIONS:**

Mayor DeRosa asked Council Members England and Marchand to join her at the podium to make some presentations. Mayor DeRosa also asked city employees Carma Giron of Reception and Kim Porterfield of Business License to join her. Mayor DeRosa wanted to recognize these two employees for their outstanding service to the public as they do their jobs every day. They were then presented with Certificates of Appreciation.

Mayor DeRosa called the Pat Hammers the City Clerk forward to present her with a Certificate of Recognition for having received her Certified Municipal Clerk designation. This is a two-year program and Ms. Hammers has accomplished it in record time.

There were two Proclamations declaring Monday, February 7<sup>th</sup>, as "National Black HIV/AIDS Awareness & Information Day" in Cathedral City. One was presented to Josie Dias representing the Desert Aids Project and one was presented to Lucy Petrek of the Black History Committee.

**CONSENT AGENDA:**

1. Received and filed demands in the aggregate amount of \$ 3,298,901 for the month of December, 2004 **by Minute Order # 3838 and Minute Order # R-1012.**
2. Received and filed quarterly report from the Cathedral City Boys and Girls Club **by Minute Order # 3839.**
3. Authorization for staff to execute amendment a Service Provider Agreement with James R. Peters Construction Management and Inspection to provide Construction Inspection Services for the Date Palm Drive Overhead Widening Project **by Minute Order # 3840.**

Council Member Marchand moved approval of the Consent Agenda, motion seconded by Council Member England, motion carried 3-0

**LEGISLATIVE ACTION(S)**

4. Extension of the term of the lease with Desert Hockey Association for the former Heilig-Meyers building on East Palm Canyon Drive through September 30, 2005

A brief report was given by Redevelopment Project Manager Keith Scott.

Council Member England asked several questions. Gary Stevens (La Quinta) said that they were grateful for the extension and that they were growing as a group. Everything is working well.

There were no other Public Comments.

Council Member Marchand moved approval of the extension of the term of the lease, motion seconded by Council Member England, motion carried 3-0 **by Minute Order # 3841**

5. Tentative Tract Map 32557, Tentative Tract Map 32558 and Environmental Assessment 04-012 Palm Springs Classic.

A brief report was given by Interim City Planner Joe Richards

Council Member England had a number of questions relating to access for the Fire Department access to part of this property. He also wanted to know why approving this Project would benefit our community. Mr. Richards advised this was a small, vacant piece of property sandwiched between two developments and this would add higher end homes for this area. It would be like having 52 in fill lots. Susanne Jones (Temecula) representing the developer advised the project would encompass 1450 homes, and that they had provided key card access for the Desert Water Agency and for Fire access to the end of property that Council Member England was concerned about. She also advised that they have done considerable work on the sewer lines at their own expense that will benefit the new homeowners.

Mayor DeRosa asked if anyone from the audience wished to comment on this item.

Juan Jeminez – Cathedral City. Mr. Jeminez lives in the Dream Homes and asked questions about the storm drain easement that presently runs thru this development, advising that there is a lot of ATV and Quad activity on this easement.

Seeing no one else wishing to speak, Mayor DeRosa closed Public Comments.

Council Member Marchand brought up inclusionary housing and advised that every roof top creates additional demands on Fire and Police. "I can't look at the Police and Fire Departments and tell them I want you to do more with less" and at some point I will have to vote no against these kinds of projects.

Mayor DeRosa closed Public Comments.

Council Member England was still concerned about the northern portion of access to this project. Deputy City Attorney Green was unsure of the exact process with regard to reciprocal agreements with neighboring Fire Departments. It was advised that staff would follow up with these concerns.

Mayor DeRosa moved approval, motion seconded by Council Member England, motion passed 3-0 as follows. **1)** Adopted Resolution **No. 2005-9**, approving a request to subdivide 3.43 acres into 11 single family lots, two private streets, landscaping retention easement(s) and a well site, on assessors parcel number 675-040030 being generally located west and south of the Whitewater wash to the western City limit boundary and north of the Tortuga Road alignment in the R-1 Zone (Low Density Residential) and adopting the associated negative declaration for environmental assessment No. 04-012 (**TTM 32557**); and **2)** Adopt Resolution **No. 2005-10**, approving a request to subdivide 15.64 acres into 41 single family lots, two private streets, landscaping retention easement(s) and a well site, on assessors parcel number 675-040-032 being generally located west and south of the Whitewater wash to the western City limit boundary and north of the 30<sup>th</sup> Avenue alignment in the R-1 Zone (Low Density Residential) and adopting the associated negative declaration for environmental assessment No. 04-012, (**TTM 32558**).

6. Add two streets to the area included in Dream Homes Revitalization Program (DHRP) for combined major rehabilitation loans from Cal-HFA, CalHome, County CDBG and local housing set-aside funds and adjusting the maximum amount that may be loaned for total reconstruction of a home.

There was a brief report by Warren Bradshaw. We received a \$300,000 grant from Cal-Home program to expand the Dream Homes Revitalization program. These are similar with regard to age and what kind of housing they are, and Mr. Bradshaw saw this is a real opportunity to expand and include the upgrading of the neighborhood.

Public comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 3-0 to adopt resolution of the Redevelopment Agency Board **No. R-399**, increasing assistance limits and expanding the area of the Dream Homes Revitalization Program (DHRP) for rehabilitation loans **by Minute Order #3842..**

7. Introduce and have first reading on proposed zoning amendment 04-004 Outdoor Lighting Ordinance.

A brief report was given by Joe Richards. When the ordinance came before Council in December it contained an exemption for Auto Dealerships within the Auto Centers specific Plan. The council directed staff to expand that exemption to other dealerships potentially along East Palm Canyon corridor. We have added the language to include the other auto dealers. We then took it back to the Planning Commission and they have reviewed the plan and they are recommending approval.

Council Member Marchand asked if the Planning Commission was a unanimous vote, and Mr. Richards replied in the affirmative. The Mayor asked "once this ordinance is adopted, how or who will monitor it?" Mr. Richards replied "Planning and Code Enforcement". Mayor asked what if someone came in and met all the requirements for lighting and then, after being passed and approved, decided to change the lights? Mr. Richards advised that we would then have a Code Enforcement problem.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 3-0 **by Minute Order # 3843.**

8. Authorize comments recommended to be submitted regarding the proposed Multi-Species Habitat Conservation Plan.

A report was given by Joe Richards with information about the Multi-Species Habitat Conservation Plan. The staff was recommending that the boundary should be adjusted to allow some development opportunities along the freeway – north of the freeway. The details are in the staff report. Mayor DeRosa asked if Mr. Richards could quantify "some" in some development. Mr. Richards estimated that would be about 800 acres.

Mayor DeRosa opened the floor to Public Comments.

Bruce Culbert – Executive Director of the Riverside County Home Owners Association. Mr. Culbert presented a Power Point presentation with regard to problems he has found, and the flaws that he has found in the draft report. The plan does not accurately reflect the cost of this plan.

Mayor DeRosa asked Mr. Richards to review the material from Mr. Culbert and include any areas of concern with our report. Council Member England asked of the City Manager what would happen if CVAG just said “no”, and Mr. Bradley responded that the Council could vote against the plan. Mr. Bradley gave further info on what has happened at the public meeting on this item.

Seeing no one else wishing to speak Mayor DeRosa closed Public Comments.

Council Member Marchand move approval, motion seconded by Council Member England, motion carried 3-0 **by Minute Order # 3844.**

### **ADJOURNMENT**

Hearing no further business to come before this meeting Mayor DeRosa asked that we Adjourn in memory of all those cited throughout this meeting; Danny Ramirez, Robert Hollister, Judge Bootle, and the 36 Marines who lost their lives today in Iraq. Meeting Adjourned at 8:12 p.m.

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Pat Hammers, CMC  
City Clerk